

FORM A

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA**

Carl L. Ford

[NOTE: Enter the FULL name and inmate number of each Plaintiff]

vs.

COMPLAINT

Fargo Police Department
Bara Schmitz Olson
Monty Grant Mertz
Sargeant Aldin Golos
Officer Tyler Seehusen, et al

[NOTE: Enter the FULL name of each Defendant]

I. Previous Lawsuits:

[NOTE: If there is more than one plaintiff, attach a separate sheet with the information in part I and II below for EACH plaintiff.]

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or have you filed any other lawsuits relating to your imprisonment? Yes No
- B. If your answer to A is Yes, please answer questions 1 through 7. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs _____

Defendants _____

2. Court : _____
[NOTE: for federal court lawsuits, name the district and for state court lawsuits, name the county]
3. Case Number: _____
4. Name of judge to whom lawsuit was assigned: _____
5. Disposition of lawsuit, if known: _____
[NOTE: for example, was the lawsuit dismissed, appealed, or still pending]

6. Approximate date lawsuit was filed: _____
7. Approximate date lawsuit ended: _____

II. Place of Present Confinement: Cass County Jail.

- A. Is there a prisoner grievance procedure in this institution? Yes No
- B. Did you present the facts relating to your complaint to the institution's prisoner grievance procedure? Yes No
- C. If your answer is YES,

1. What steps did you take?

I filed a grievance because my mail was being refused by the District Court and returned to me.

2. What was the result?

I was told that there was nothing that could be done about it, and they have no control over the mail.

- D. If your answer is NO, explain why not:

- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes No

- F. If your answer is YES,

1. What steps did you take?

I filed a grievance about my mail being tampered with and refused by the District Court. The mail included mentions filed along with requests made to the Prisoner and other personnel regarding test results.

2. What was the result?

Nothing has been done about it.

III. Parties

[NOTE: In item A below, enter your name in the first blank and your present address in the second blank. Do the same for additional plaintiffs, on line B, if any.]

A. Name of plaintiff:

Carl W. Ford

Address:

450 34th St. S. Fargo, ND 58103

B. Additional plaintiffs:

[NOTE: In items C-F below, enter the full name of the defendant in the first blank, defendant's official position in the second blank, whether you are suing defendant in both official and individual capacity in third blank and defendant's place of employment in the fourth blank.]

C. Name of Defendant #1:

Fargo Police Department

Official Position:

Fargo Police Department

If Defendant is a government official or employee, are you suing the Defendant in his or her official capacity? Yes No

If Defendant is a government official or employee, are you suing the Defendant in his or her individual capacity? Yes No

Place of Employment:

Fargo Police Department

D. Name of Defendant #2:

Kara Schmidt Olson

Official Position:

Assistant States Attorney

If Defendant is a government official or employee, are you suing the Defendant in his or her official capacity? Yes No

If Defendant is a government official or employee, are you suing the Defendant in his or her individual capacity? Yes No

Place of Employment:

Cass County States Attorney Office

E. Name of Defendant #3:

Mandy Parrott Mertz

Official Position:

Cass County Public Defenders Office

If Defendant is a government official or employee, are you suing the Defendant in his or her official capacity? Yes No

If Defendant is a government official or employee, are you suing the Defendant in his or her individual capacity? Yes No

Place of Employment:

Cass County Public Defenders Office

F. Name of Defendant #4:

Alvin Carlos

Official Position:

Sergeant of Fargo Police Department

If Defendant is a government official or employee, are you suing the Defendant in his or her official capacity? Yes No

If Defendant is a government official or employee, are you suing the Defendant in his or her individual capacity? Yes No

Place of Employment:

Fargo Police Department

G. Additional Defendants :

Use a separate sheet of paper. Write the heading **PART II** **CONTINUED** at the top of that sheet. For each additional defendant list:

Name

Official Position

Suing in Official and/or Individual Capacity

Place of Employment

IV. Jurisdiction

This complaint is brought pursuant to 42 U.S.C. § 1983, and jurisdiction is based on 28 U.S.C. § 1333(a)(3). Plaintiff(s) allege(s) that the defendant(s) acted under color of state law with regard to the facts stated in part V of this complaint.

PART II Continued

G. Name of Defendant #5: Tyler Seehusen

Official Position: Fargo Police Officer

Suing in Official Capacity And Individual Capacity

Place of Employment: Fargo Police Department

Name of Defendant #6 Evidence Custodian - John Doe

Official Position: Evidence Custodian

Suing in Official Capacity And Individual Capacity

Place of Employment: Fargo Police Department

Name of Defendant #7 Jennifer Penner

Official Position: Laboratory Director

Suing in Official Capacity And Individual Capacity

Place of Employment: Crime Laboratory Division

Name of Defendant #8 Drew H. Wrigley

Official Position: Attorney General

Suing in Official Capacity And Individual Capacity

Place of Employment: State of North Dakota

Name of Defendant #9 Chris Snyder

Official Position: Attorney at law

Suing in Official Capacity And Individual Capacity

Place of Employment: State of North Dakota / State of Minnesota, Snyder Law Firm

V. Statement of Claim

- A. Claim No. 1: [NOTE: State here as briefly as possible the basis for your claim, including the facts of your case. You MUST state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved (for example, other inmates) and state the date and place of all events.]

Are you claiming any physical injury? Yes No If yes, please describe.

I was assaulted during paraphanelia was placed in my coat. The Fargo PD never arrested the person who assaulted me, forced me to ride with them, illegally searched me and I was eventually charge with possession of drug paraphanelia. Mental, Emotional, Anguished stress, racial discrimination and negligence, and false arrest. Also false imprisonment, cruel and unusual punishment, illegal search and seizure, they acted with malice toward me. 5-1-2022 and defamation

- B. Claim No. 2: [NOTE: State here as briefly as possible the basis for your claim, including the facts of your case. You MUST state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved (for example, other inmates) and state the date and place of all events.]

Are you claiming any physical injury? Yes No If yes, please describe.

Kara Schmitz Olson maliciously prosecuted me knowing that there was a high probability that I was innocent. She withheld key reports from the night in question and continued to prosecute. Mental / Emotional Anguish, stress, racial discrimination and negligence, and false arrest. Also false imprisonment, cruel and unusual punishment,

- C. Claim No. 3: [NOTE: State here as briefly as possible the basis for your claim, including the facts of your case. You MUST state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved (for example, other inmates) and state the date and place of all events.]

Are you claiming any physical injury? Yes No If yes, please describe.

Monty G. Mertz refused to file motions for dismissals based upon the evidence. He said it "Doesn't matter that you were illegally extradited back to North Dakota." "On the video your hands are in your pocket it doesn't matter." "Why do you wanna waste every body's time going to trial?" It is highly likely you will be found guilty at trial of this case." "Using my very best judgment, I do not believe it is useful for you to have trial." These were his exact words. I won at trial. Mental / Emotional Anguish, stress, defamation, negligence and racial discrimination, also acting with malice and Due Process violations.

- D. Claim No. 4: [NOTE: State here as briefly as possible the basis for your claim, including the facts of your case. You MUST state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved (for example, other inmates) and state the date and place of all events.]

Are you claiming any physical injury? Yes No If yes, please describe.

John Doe, Evidence custodian violated the chain of custody regarding evidence. Mental / Emotional Anguish, stress and negligence and acting with malice regarding the evidence, Due Process

Part V Continued

E. I am claiming physical Injury, yes

Jennifer Penner violated N.D.C.C 31-13-06 in refusing to give me the records for Case # 09-2022-CR-02344, 09-2021-CR-04943, and 09-2014-CR-01152. My attorneys would not get these records for me to review upon my requests. So I wrote the Crime lab myself in October 2023, and 11-01-2023. I was denied my requests and was told any other requests to the office will not be answered. Mental/Emotional/Anguish, Stress and negligence. Also acting with malice/Equal Protection Clause.

F. I am claiming physical Injury, yes

On 12-17-2023, I requested DNA test results from Drew H Wrigley (Attorney General) and was also refused the test results which I was and still am required to receive them because under N.D.C.C 31-13-06. I am the subject and the requestor. Mental/Emotional/Anguish, stress and negligence, and acting with malice

G. I am claiming physical Injury, yes

Chris Snyder refused to file motions for dismissal based upon evidence. He told me that I would be found guilty at trial. My Illegal Extradition

Part V Continued

has no merit, and that he was not filing a frivolous motion. Also at the beginning of my trial, he told the Judge (Reid Brady) that I called him a racist. I was found not guilty at trial. The Judge ordered for me to get my trial transcripts. He did not get them and the Clerk of Court refuses to give them to me. That's why I can't provide them. He refused to get the Ambulance Reports and all pertinent discovery. Mental/Emotional/Anguish, stress, negligence and discrimination and acting with malice.

H. I am claiming physical injury yes

Officer Tyler Seehusen illegally searched me, never arrested the individual who assaulted me, made false police report, had me falsely arrested and discriminated against me. False imprisonment, cruel and unusual punishment and acted with malice, tow..

E. Additional Claims: Attach an extra sheet if necessary, and write the heading **PART V
CONTINUED** at the top of that sheet

VI. Relief

[NOTE: State briefly exactly what you want the Court to do for you.]

Declaratory Relief, Punitive Damages, Compensatory Damages,
Negligence Damages, Pain and Suffering, Damages, defamation, Racial
Discrimination Damages, and loss of wages in the amount
of 10,000,000 dollars. Also I would like the court to grant me damages
for false arrest and false imprisonment by the officers and the prosecutor
cruel and unusual punishment and Equitable Relief

VII. Signature(s) of Plaintiff(s)

Signed this 29th day of May, 2024.

Carl Y. Ford
(Signature of Plaintiff)

Signatures of additional plaintiffs, if any:

